

REMARKS

The present amendment is submitted in response to the Office Action entered on January 29, 2007. The Examiner rejected claims 1, 2, 9, and 10 under 35 U.S.C. §102(b) as anticipated by U.S. Pat. No. 5,481,440 issued to Oldham et al. (Oldham). Claims 3-6 and 11-16 were rejected under 35 U.S.C. 103(a) as obvious in view of Oldham in combination with U.S. Pat. No. 2,374,408 issued to Braidwood (Braidwood). Claim 17 was rejected under 35 U.S.C. 103(a) as obvious in view of Oldham in combination with U.S. Pat. No. 5,938,324 issued to Salmon et al. (Salmon). Claims 7 and 8 were rejected under 35 U.S.C. 103(a) as obvious in view of Oldham in combination with U.S. Pat. No. 5,938,324 issued to Gdovin et al. (Gdovin). Reexamination and reconsideration in view of the arguments submitted below is respectfully requested.

The Examiner rejected claims 1, 2, 9, and 10 as anticipated by Oldham. Of these, claims 1 and 9 are independent. Applicants respectfully submit that Oldham does not anticipate independent claims 1 and 9 because Oldham does not disclose “said light guide is composed of a light transmitting elastic body” as recited by claims 1 and 9. The Examiner cites to Oldham col. 3, lines 60-66 for that limitation (see Examiner’s action, page 3). However, the above cited text does not disclose a light guide made out of elastic material. Instead it discloses a light pipe that may be made out of acrylonitrile butadiene styrene (ABS) or Lexan®. Both of these are known examples of rigid plastics. In the way of illustration, ABS is used for plumbing pipes and the heads of golf clubs, while Lexan may is used for bullet-proof windows and the like. Oldham does not disclose the use of an elastic material for its light pipes.

Furthermore, Oldham teaches against using an elastic material for its light pipes, because Oldham teaches using crush ribs 44, 46 and 47 to hold the light pipe in place after the crush ribs have been crushed by the walls of an opening in which the light pipe is inserted (see col. 4, lines 42-46, Fig. 5). By definition, using crush ribs would not be possible for an elastic light guide. These elements need to be rigid in order to get crushed against the walls of the opening. Thus, if they were elastic they would not be referred to as crush ribs.

Furthermore, claims 1 and 9 are patentable over Oldham because Oldham does not disclose a light guide with uniform a cross section as recited by claims 1 and 9. The cross section of Oldham's light pipe is different in the front middle and back sections (see, e.g., Fig. 4A).

Therefore, claims 1 and 9 are patentable in view of Oldham. Claims 2 and 10 are patentable because they depend upon patentable claims 1 and 9.

Claims 3-6 and 11-16 were rejected as obvious in view of Oldham in combination with Braidwood. Claims 3-6 and claims 11-16 depend upon claims 1 and 9, respectively. Therefore, claims 3-6 and 11-16 are also patentable in view of Oldham. Furthermore, Braidwood does not compensate for the deficiencies of Oldham. More specifically, Braidwood does not disclose an elastic light guide. Braidwood discloses a complex structure made of multiple elements, but the outer portions of what could, for the sake of argument, be considered to be the light guide are made using "polymethyl methacrylate" (see page 1, col. 2, lines 48-50), which is a hard, glass-like plastic.

Furthermore, Braidwood does not disclose a light guide with a uniform cross section, but an element that is cylindrical in one portion and conical in another (see, e.g., Fig. 3). Also, Braidwood does not disclose a light guide that "is fixed by an outer peripheral surface thereof near the one end surface being in pressure contact with an inner peripheral surface of said insertion hole." Instead, Braidwood discloses using a bracket (or a "ferrule element") to affix its "radiolucent element" to an opening (see, e.g., page 1, col. 2, lines 34-38). Therefore, claims 3-6 and 11-16 are patentable in view of Oldham and Braidwood.

Claim 17 was rejected as obvious in view of Oldham in combination with Salmon. Claim 17 depends on claim 9. Claim 9 is patentable in view of Oldham for the reasons discussed above. Therefore, claim 17 is patentable in view of Oldham as well. Furthermore, Salmon fails to compensate for the deficiencies of Oldham. More specifically, Salmon does not disclose a light guide with a uniform cross section as recited by claim 9. As can be easily seen from Salmon's

figures, the light guide disclosed by salmon is relatively complex and its cross section is far from uniform. Therefore claim 17 is patentable in view of Oldham and Salmon.

Claims 7 and 8 were rejected as obvious in view of Oldham in combination with Gdovin. Of these, claim 7 is independent. Claim 7 recites using “a light transmitting elastic body” that “is formed to have a uniform shape of a cross section”. As discussed above in relation to claims 1 and 9 which include similar recitations, the above recitation is not disclosed by Oldham. Gdovin does not cure the deficiencies of Oldham. Gdovin does not disclose a light guide that has a uniform cross section (see, e.g., elements 45a and 45b in Fig. 3 which have different cross sections in their upper and lower portions).

Therefore, claim 7 is patentable in view of Oldham and Gdovin. Claim 8 is patentable because it depends from claim 7.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicant requests that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5790 to discuss any steps necessary to place the application in condition for allowance.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket No. 393032040900. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 29, 2007

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